

**REMARKS/ARGUMENTS**

Reconsideration is respectfully requested of the Official Action of February 13, 2004, relating to the above-identified application.

Claims 11-31 have been deleted, without prejudice, in order to expedite the prosecution of this application.

Claim 1 has been amended to more clearly point out applicants' invention and to specify that the photographed image is displayed with the said judgment pattern on a display device.

The rejection of Claim 4, under 35 U.S.C. § 102(b), as anticipated by *Tanigawa* (US 5,915,033) is traversed and reconsideration is respectfully requested.

Applicants point out that the cited prior art does not disclose judging the compliance or noncompliance of the shooting direction of the camera apparatus by comparing a photograph chart image and a proper range and, thus, does not disclose the claimed invention. The reference simply calculates a correcting amount for calculating the parallax. Accordingly, applicants respectfully submit that the cited reference does not describe the claimed invention within the meaning of 35 U.S.C. § 102.

The rejection of Claims 1-7 and 10, under 35 U.S.C. § 102(e), as anticipated by *Hamaguri* (US 6,462,777) is traversed and reconsideration is respectfully requested.

Claim 1, as amended, now specifies that the photographed image is displayed with the judgment pattern on a display device. The cited reference of *Hamaguri* does not disclose displaying the photographed image with the judgment pattern on the display screen. Accordingly, applicants respectfully submit that the reference does not describe the claimed invention within the meaning of 35 U.S.C. § 102.

The rejection of Claim 3, under 35 U.S.C. § 103(a), as unpatentable over *Hamaguri* (US 6,462,777), in view of *Schofield* (US 6,222,447), is traversed and reconsideration is respectfully requested.

It has already been pointed out that *Hamaguri* does not disclose displaying the photographed image, together with the judgment pattern, on the display screen, as presently pointed out in Claim 1, upon which Claim 3 is dependent. Consequently, applicants respectfully submit that the combination of references fails to create *prima facie* obviousness of the claimed invention. The secondary reference of *Schofield* does not provide the necessary teaching, suggestion or reason to enable a person skilled in the art to combine the feature of displaying the photographed image, together with the judgment pattern, on a display device. Consequently, the combination of references fails to make out a proper basis for rejecting Claim 3 on the ground of obviousness.

Withdrawal of the rejection is respectfully requested.

The rejection of Claims 5 and 6, under 35 U.S.C. § 103(a), as unpatentable over *Tanigawa* (US 5,915,033), taken with *Tomitaka* (US 5,355,163), is traversed and reconsideration is respectfully requested.

With regard to the *Tanigawa* reference, this prior art document does not disclose judging on the compliance or noncompliance of the shooting direction of the camera apparatus by comparing a photograph chart image and a proper range. *Tanigawa* simply calculates a correcting amount for calculating the parallax. Accordingly, the combination of references cited in the Official Action is defective insofar as it does not disclose an important feature of the claimed invention.

Furthermore, there is no motivation, reason or suggestion set forth in the references whereby a person skilled in the art would be readily lead to make a combination of the features set forth in the claimed invention. Accordingly, the rejection is believed to be improper and should be withdrawn.

The rejection of Claim 8 under 35 U.S.C. § 103(a), as unpatentable over *Tanigawa*, taken with *Takano* (EP 691,599) is traversed and reconsideration is respectfully requested.

Claim 8 is based on Claim 4 and for reasons expressed in connection with Claim 4, thereby distinguishes over the prior art of record. There is no disclosure in the principal reference of *Tanigawa* of judging the compliance or noncompliance of the shooting direction of the camera apparatus by comparing a photographed chart image and a proper range appropriate for the shooting direction of the camera apparatus.

The Official Action provides insufficient reason, motivation or suggestions whereby a person skilled in the art would be lead to combine the reference teachings in order to arrive at applicants' invention. Accordingly, it is respectfully submitted that the combination of references fails to establish *prima facie* obviousness of the claimed invention as expressed in Claim 8. Therefore, withdrawal of the rejection is respectfully requested.


Applicants note, with appreciation, the indication by the Examiner that Claim 9 is allowable and believe that for reasons set forth above, the claim is allowable without being rewritten in independent form because the claims upon which Claim 9 is dependent are also allowable for reasons set forth above.

In view of the foregoing, favorable action at the Examiner's earliest convenience is respectfully requested.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: \_\_\_\_\_

  
Robert G. Weilacher, Reg. No. 20,531

Suite 3100, Promenade II  
1230 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3592  
Telephone: (404) 815-3593  
Facsimile: (404) 685-6893